

OPEN MEETING ITEM

COMMISSIONERS
BOB STUMP – Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



0000153064

ARIZONA CORPORATION COMMISSION

RECEIVED

DATE: APRIL 29, 2014

2014 APR 29 A 8:58

DOCKET NO.: T-03125A-14-0037

AZ CORP COMMISSION
DOCKET CONTROL

TO ALL PARTIES:

ORIGINAL

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

LEAST COST ROUTING, INC.
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MAY 8, 2014

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 13, 2014 and MAY 14, 2014

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

APR 29 2014

DOCKETED BY

A handwritten signature in black ink, appearing to read "Jodi Jerich".

Jodi A. Jerich
JODI JERICH
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

www.azcc.gov

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov.

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 BOB STUMP – Chairman
4 GARY PIERCE
5 BRENDA BURNS
6 BOB BURNS
7 SUSAN BITTER SMITH

8 IN THE MATTER OF THE APPLICATION OF
9 LEAST COST ROUTING, INC. FOR APPROVAL
10 TO CANCEL ITS CERTIFICATE OF
11 CONVENIENCE AND NECESSITY.

DOCKET NO. T-03125A-14-0037

DECISION NO. _____

12 **ORDER**

13 Open Meeting
14 May 13 and 14, 2014
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

17 Having considered the entire record herein and being fully advised in the premises, the
18 Arizona Corporation Commission (“Commission”) finds, concludes, and orders that:

19 * * * * *

20 **FINDINGS OF FACT**

21 1. On October 21, 1997, the Commission issued Decision No. 60461 granting Least Cost
22 Routing, Inc. (“LCR” or “Company”) a Certificate of Convenience and Necessity (CC&N) to provide
23 competitive resold long distance telecommunications services within the State of Arizona.

24 2. On February 7, 2014, LCR filed with the Commission an application stating that LCR had
25 discontinued offering interexchange telecommunications services within the State of Arizona effective
26 September 2012, and requesting that the Commission cancel its CC&N. LCR’s application included
27 a copy of its Certificate of Compliance for Dissolution or Withdrawal (“Certificate”), and
28 corresponding letter from the Commission approving the action dated September 23, 2013.

3. On April 22, 2014, the Commission’s Utilities Division (“Staff”) filed a Staff Report
in this matter recommending approval of LCR’s application to cancel its CC&N.

4. The Staff Report indicates that Staff confirmed that LCR had stopped providing
telecommunication services in Arizona in September 2012.

5. According to the Commission's Consumer Services Section, zero complaints, inquiries, or opinions were filed against LCR for the time period January 1, 2011 through February 17, 2014.

6. The Commission's Compliance Section reports there are no current compliance delinquencies for LCR, and the Corporations Division approved the Company's documents for Articles of Dissolution/Application for Withdrawal on September 23, 2013.

7. Staff recommends cancellation of LCR's CC&N to provide competitive resold long distance telecommunications services. Staff also recommends granting LCR's request to waive the published notice requirements of A.A.C. R-14-2-1107 (A) (2), because the Company is not providing resold interexchange telecommunications services to any customers in Arizona; LCR did not disconnect or stop providing services to its customers but, instead, all customers terminated services with LCR on their own accord as of September 2012; and the Company was required to provide legal notice of corporate dissolution within 60 days of its approval.

8. LCR stated it has no affiliates offering telecommunication services in Arizona, no services have been provided in any state since December 2012, and it has no intentions of providing long distance telecommunication services in the future.

9. Staff's recommendations are reasonable.

CONCLUSIONS OF LAW

1. Least Cost Routing, Inc. is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2. The Commission has jurisdiction over Least Cost Routing, Inc. and the subject matter of the application.

3. The cancellation of Least Cost Routing, Inc.'s CC&N is in the public interest.

4. Staff's recommendations are reasonable and should be adopted.

ORDER

IT IS THEREFORE ORDERED that the application of Least Cost Routing, Inc. for the cancellation of its Certificate of Convenience and Necessity to provide resold interexchange telecommunications services in Arizona shall be, and is hereby, approved, and the Certificate of

1 Convenience and Necessity is cancelled.

2 IT IS FURTHER ORDERED that Least Cost Routing, Inc.'s telecommunications services
3 tariff on file with the Commission is hereby cancelled.

4 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

5 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
6
7
8

9 CHAIRMAN

COMMISSIONER

10
11
12 COMMISSIONER

COMMISSIONER

COMMISSIONER

13
14 IN WITNESS WHEREOF, I, JODI. A. JERICH, Executive
15 Director of the Arizona Corporation Commission, have
16 hereunto set my hand and caused the official seal of the
17 Commission to be affixed at the Capitol, in the City of Phoenix,
18 this _____ day of _____, 2014.

19
20 JODI A. JERICH
21 EXECUTIVE DIRECTOR

22
23 DISSENT _____
24
25
26
27
28

DISSENT _____

SP:ru

1 SERVICE LIST FOR: LEAST COST ROUTING, INC.

2 DOCKET NO.: T-03125A-14-0037

3 Ned Gershenson
4 LEAST COST ROUTING, INC.
5 628 Lakeview Shore Loop
6 Mooresville, NC 28117

7 Janice Alward, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
10 1200 West Washington Street
11 Phoenix, AZ 85007

12 Steven Olea, Director
13 Utilities Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, AZ 85007
17
18
19
20
21
22
23
24
25
26
27
28